

RESOLUTION NO. 12-56

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING AN INTERLOCAL AGREEMENT WITH THE MIAMI-DADE EXPRESSWAY AUTHORITY ("MDX") TO FUND THE CONSTRUCTION OF THE MULTI-LANE ROADWAY ON NW 138 STREET, FROM NW 107 AVENUE TO THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY AT I-75, INCLUDING REIMBURSEMENT OF THE FUNDS ALREADY ADVANCED BY MIAMI-DADE COUNTY AND THE CITY OF HIALEAH, AND FURTHER AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER THE INTERLOCAL AGREEMENT WITH MDX IN SUBSTANTIAL FORM AS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1" AND TO EXECUTE SUCH DOCUMENTS AND AGREEMENTS IN FURTHERANCE THEREOF.

WHEREAS, pursuant to Hialeah, Fla., Resolution 09-45 (May 1, 2009), the City entered into a Joint Participation Agreement with Miami-Dade County to construct a six-lane roadway, from NW 107 Avenue to the Florida Department of Transportation right-of-way at I-75, with the County funding no more than \$14,400,000, which included a contingency fund of \$650,000; and

WHEREAS, as provided in Resolution 09-45, the City made a finding that it is in its best interest to facilitate the construction of county road improvements within the City of Hialeah with funds reimbursed by the County through the County road impact fees and gasoline taxes; and

WHEREAS, pursuant to Hialeah, Fla., Resolution 11-79 (Aug. 9, 2011), the City entered into a First Amendment to the Joint Participation Agreement with Miami-Dade County, Florida, the City shall pay the County the sum of \$6,680,00 for reimbursement of the City's portion of this Agreement (funds supplied by Miami-Dade Expressway Authority (MDX) within 60 business days from the execution of this First Amendment, the Road Jurisdiction Transfer Agreement and recordation of the transfer in the Official Right-of-Way Transfer Map in the public records of Miami-Dade County; and

WHEREAS, thereupon, the County entered into a Road Jurisdiction Transfer Agreement transferring jurisdictional control of NW 138 Street to Miami-Dade Expressway Authority ("MDX") for the extension and improvement of State Road 924; and

WHEREAS, the City finds that it is in the best interest of the City to enter into this Interlocal Agreement to facilitate the completion of NW 138 Street to be fully funded by MDX.

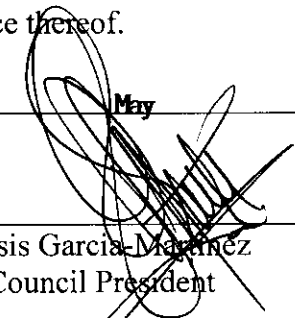
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated herein by reference as if fully set forth herein.

Section 2: The City of Hialeah, Florida hereby approves an Interlocal Agreement with the Miami-Dade Expressway Authority ("MDX") to fund the construction of the multi-lane roadway on NW 138 Street, from NW 107 Avenue to the Florida Department of Transportation Right-Of-Way at I-75, including reimbursement of the funds already advanced by Miami-Dade County and the City of Hialeah.

Section 2: The City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into the aforesaid Interlocal Agreement with MDX, in substantial form as attached hereto and made a part hereof as Exhibit "1", and to execute such documents and agreements in furtherance thereof.

PASSED AND ADOPTED this 8th day of May, 2012.


Isis Garcia-Martinez
Council President

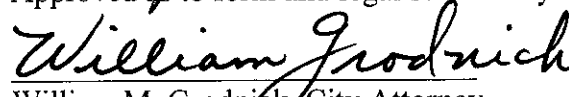
Attest:


David Concepcion, City Clerk

Approved on this 9 day of May, 2012.


Mayor Carlos Hernandez

Approved as to form and legal sufficiency:


William M. Grodnick, City Attorney

S:\WMG\LEGISLATION\Reene 2012\interlocalagreementwithMDX\NW138streetroadway.docx

Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".